

UNITED STATES DISTRICT COURT**Northern District of California**

Tavares,

08-01277 HRL

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE
WITH COURT ORDER**

v.

Duran Hogan Construction,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment
to an e-mail directed to adr@cand.uscourts.gov.

It is the responsibility of counsel to schedule an ADR Phone Conference, if
required, to occur before the Case Management Conference.

Dated: July 11, 2008

RICHARD W. WIEKING
Clerk
by: Lisa Salvetti



ADR Administrative Assistant
415-522-2032
lisa_salvetti@cand.uscourts.gov

PROOF OF SERVICE

Case Name: Tavares v. Duran Hogan Construction

Case Number: 08-01277 HRL

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Northern District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On July 11, 2008, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Adam Wang
Law Offices of Adam Wang
12 South First Street
Suite 613
San Jose, CA 95113
waqw@sbcglobal.net

Paul Vincent Simpson
Simpson Garrity & Innes
601 Gateway Boulevard, Suite 950
South San Francisco, CA 94080
psimpson@sgilaw.com

Timothy Patrick O'Donnell
Simpson, Garrity & Innes
601 Gateway Boulevard
Suite 950
South San Francisco, CA 94080
todonnell@sgilaw.com

[] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on July 11, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Lisa Salvetti

A handwritten signature in black ink, appearing to read "Lisa M. Salvetti", is written over a horizontal line.

ADR Administrative Assistant

415-522-2032

lisa_salvetti@cand.uscourts.gov